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TITLE 7—AGRICULTURE CHAPTER VIII—SUGAR DIVISION

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF FAIR AND REASONABLE WAGE RATES FOR PERSONS EMPLOYED IN THE PRODUCTION, CULTIVATION, OR HAR- VESTING OF THE 1940 CROP OF SUGAR BEETS IN CALIFORNIA

Whereas, Section 301 (b) of the Sugar Act of 1937 provides, as one of the conditions for payment to producers of sugar beets and sugarcane, as follows:

"(b) That all persons employed on the farm in the production, cultivation, or harvesting of sugar beets or sugarcane with respect to which an application for payment is made shall have been paid in full for all such work, and shall have been paid wages therefor at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing; and in making such determinations the Secretary shall take into consideration the standards therefor formerly established by him under the Agricultural Adjustment Act, as amended, and the differences in conditions among various producing areas: *Provided, however,* That a payment which would be payable except for the foregoing provisions of this subsection may be made, as the Secretary may determine, in such manner that the laborer will receive an amount, insofar as such payment will suffice, equal to the amount of the accrued unpaid wages for such work, and that the producer will receive the remainder, if any, of such payment."

and

Whereas, the Secretary of Agriculture, pursuant to a notice of hearing dated July 26, 1939,¹ held public hearings for the purpose of receiving evidence likely to be of assistance to him in determining fair and reasonable wage rates for persons employed in the production, cultivation or harvesting of the 1940 crop of sugar beets.

Now, therefore, I, H. A. Wallace, Secretary of Agriculture, after investigation and due consideration of the evidence obtained at the aforesaid hearings and

all other information before me, do hereby make the following determination:

§ 802.14c *Fair and reasonable wage rates for persons employed in the production, cultivation or harvesting of the 1940 crop of sugar beets in California for any farm or part of a farm which is covered by a separate labor agreement shall be as follows:*

*Southern California*²

Blocking and Thinning: Either \$6.50 per acre on a piece work basis or 35 cents per hour on a time basis.

First Hoeing: Either \$1.50 per acre on a piece work basis or 30 cents per hour on a time basis.

Second and subsequent Hoeings: Either \$1.00 per acre for each hoeing on a piece work basis or 30 cents per hour on a time basis.

Topping and Loading: On a time basis 40 cents per hour. On a piece work basis:

Net tons per acre	Rate per ton	Net tons per acre	Rate per ton
Below 5	\$1.93	13	\$0.91
5	1.63	14	.86
6	1.48	15	.82
7	1.33	16	.78
8	1.23	17	.75
9	1.15	18	.72
10	1.08	19	.70
11	1.02	20 or above	.69
12	.96		

(The rate for all fractional tonnages between 5 and 20 tons rounded to the nearest tenth of a ton shall be in proportion within each interval.)

*Northern California*³

Blocking and Thinning: Either \$7.50 per acre on a piece work basis or 40 cents per hour on a time basis.

² Applicable to farms located in the following counties: Imperial, Santa Barbara, San Diego, San Luis Obispo, Orange, Kern, Riverside, Kings, San Bernardino, Tulare, Los Angeles, Fresno, Ventura, Madera.

³ Applicable (a) to farms located in counties in California other than those specified in footnote 1, and (b) to farms located outside California from which sugar beets are contracted to be delivered to factories located in counties in California other than those specified in footnote 1.

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¹ 4 F.R. 3434 DI.



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First Hoeing: Either \$2.00 per acre on a piece work basis or 35 cents per hour on a time basis.

Second and subsequent Hoeings: Either \$1.50 per acre for each hoeing on a piece work basis or 35 cents per hour on a time basis.

Topping and Loading: On a time basis 45 cents per hour. On a piece work basis:

Net tons per acre	Rate per ton	Net tons per acre	Rate per ton
Below 5	\$2.28	13	\$1.01
5	1.98	14	.96
6	1.68	15	.92
7	1.43	16	.88
8	1.33	17	.85
9	1.25	18	.82
10	1.18	19	.80
11	1.12	20 or above	.79
12	1.06		

(The rate for all fractional tonnages between 5 and 20 tons rounded to the nearest tenth of a ton shall be in proportion within each interval.)

Provided, however, That the foregoing shall not be construed to mean that a producer may qualify for payment who has not paid in full for all work in connection with the production, cultivation or harvesting of sugar beets the amount agreed upon between the producer and the laborer; and *Provided further,* That in addition to the foregoing, the producer shall furnish to the laborer, without charge, the perquisites customarily furnished by him, such as a house, garden plot, and similar incidentals; and *Provided further,* That the producer shall not, through any subterfuge or device whatsoever, reduce the wage rates to laborers below those determined above. (Sec. 301, 50 Stat. 909; 7 U.S.C., Sup. IV, 1131).

Done at Washington, D. C., this 18th day of January 1940. Witness my hand and seal of the Department of Agriculture.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 40-284; Filed, January 18, 1940; 12:25 p. m.]

TITLE 24—HOUSING CREDIT

CHAPTER IV—HOME OWNERS' LOAN CORPORATION

[Administrative Order No. 2-236]

PART 402—LOAN SERVICE

NEW NOTE AND MORTGAGE

Amending Part 402 of Chapter IV, Title 24 of the Code of Federal Regulations.

Section 402.03-39 is amended to read as follows:

§ 402.03-39 New Note and Mortgage.

In cases involving a full release of the original security or in which the Regional Manager and Regional Counsel deem it advisable to take a new mortgage covering both the new security and the portion of the old security to be retained, releasing the old mortgage in full, a new

note or bond and a new mortgage shall be taken bearing the date of the transaction. The new note or bond shall represent the amount of the unpaid balance of principal and interest of the original loan and also the unpaid balance of any advances, including advances made in connection with the substitution. It shall be in the discretion of the Regional Manager and Regional Counsel whether amounts that are delinquent at the time may be included in the principal of the note or bond and amortized with that portion of the indebtedness not due, or whether the note or bond shall be in terms payable as the original note or bond, leaving any amounts previously delinquent as payable on demand. The indebtedness evidenced by said note or bond or the unmatured portion thereof may be amortized over a period not to exceed that authorized in the case of an extension under Section 402.13; provided that the home owner is eligible for an extension under the provisions of Section 402.13. However, in the event the foregoing procedure cannot be followed under the laws and practices in any particular state, such procedure may be followed as will be in conformity with such laws and practices.

(Effective date December 15, 1939)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U. S. C. 1463 (a), (k)).

Promulgated by General Manager and General Counsel of Home Owners' Loan Corporation.

[SEAL]

J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-286; Filed, January 18, 1940; 12:46 p. m.]

[Administrative Order No. 525]

PART 405—RECONDITIONING

WORKMEN'S COMPENSATION INSURANCE; PUBLIC LIABILITY INSURANCE; WAIVER OF INSURANCE

Amending Part 405 of Chapter IV, Title 24 of the Code of Federal Regulations.

Section 405.01-11 is amended to read as follows:

Workmen's compensation insurance.

A contractor, in order to qualify as an approved contractor, must comply with the State Workmen's Compensation Law, when the Legal Department advises that the compensation law is compulsory and that the contractor is subject to the operation of such law.

Public liability insurance. A contractor, in order to qualify as an approved contractor, must carry Public Liability Insurance when the Legal Department advises that the State Law imposes upon the owner of a property legal liability to the public for the negligent acts of an independent contractor, his employees, assigns or agents. In the absence of such legal liability, the State Reconditioning Supervisor with the concurrence of the State Manager may require the contractor to provide Public Liability Insurance if they determine that appreciable hazards exist in a particular case.

Waiver of insurance. The requirements of this article may be waived by the State Reconditioning Supervisor with the concurrence of the State Manager in an emergency case and in any other case where the State Reconditioning Supervisor, with the concurrence of the State Manager, determines that it is necessary or advisable in the interest of the Corporation.

(Effective date November 15, 1939)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647: 12 U.S.C. 1463 (a), (k))

Promulgated by General Manager and General Counsel of Home Owners' Loan Corporation.

[SEAL] J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-287; Filed, January 18, 1940;
12:44 p. m.]

[Administrative Order No. 935]

PART 409—INSURANCE

INSTRUCTIONS REGARDING PLACING OF INSURANCE; SALES CASES; TAX AND INSURANCE ACCOUNT CASES; TAX AND INSURANCE CASES; EXTENSION CASES; REVISION OF COVERAGE

Amending Part 409 of Chapter IV, Title 24 of the Code of Federal Regulations.

Section 409.00-4 is amended to read as follows:

§ 409.00-4 *Instructions regarding placing of insurance.* No individual employee of this Corporation will be permitted to enter into any agreement or arrangement with any agent or company for the placing of insurance for the account of the borrower, or to influence the borrower in any way in his selection of an agent or broker to write his insurance. Employees of the Corporation are expected to impress upon borrowers, not having Tax and Insurance Accounts, the necessity of maintaining their insurance for their own protection as well as the protection of the Corporation.

In cases where borrowers have Tax and Insurance Accounts it is assumed that the amount and kind of insurance now held by the Corporation will continue in effect. If the borrower desires to have the amount of insurance changed, he shall make application therefor in writing to the Corporation. He may forward any additional policies he may have or purchase which, if accepted, will be included with the policies held by the Corporation.

(Effective date December 1, 1939)

Section 409.00-5 is amended by adding the words "except in Tax and Insurance Account Cases" at the end of the second sentence thereof, and Section 409.01-5 is amended by deleting the words "submitted by borrowers" in the first sentence thereof.

(Effective date December 1, 1939)

Section 409.01-7 is amended by the addition of the following sentence:

However, where Tax and Insurance Accounts are established by borrowers, renewals shall be obtained as prescribed in Section 409.02-3.

(Effective date December 1, 1939)

Section 409.01-10 is amended by the deletion of the last three paragraphs and substitution thereof of the following:

Sales cases. Upon receipt of a sales file from the Accounting Section, the Regional Insurance Supervisor shall immediately remove all insurance policies from the file along with pertinent insurance data inserting therein a receipt therefor, and forward the file to the Treasurer without delay. The Insurance Section shall review the insurance for sufficiency and make proper notation of necessary information on the policy jacket. In all cases where a property has been sold under a contract of sale, Corporation Form 12-A shall be attached to all policies covering the affected property. If the agent or insurance company refuses to execute said Form 12-A, the policy will not be accepted.

Other appropriate endorsements shall be attached to any affected policies showing any changed status.

(Effective date December 1, 1939)

Section 409.02-1 is amended by the addition of the following paragraph:

Tax and insurance account cases. Insurance placed for Tax and Insurance Account cases shall be handled as provided in Section 409.02-3.

(Effective date December 1, 1939)

Section 409.02-3 is amended by deletion of the second paragraph thereof and substitution thereof of the following:

Tax and insurance cases. When, under the provisions of any instrument, the borrower agrees to accumulate with or pay to the Corporation monies for the payment of insurance premiums, the Insurance Section shall be duly notified. The order for insurance under a Tax and Insurance Account will be placed

thirty days prior to the date of expiration and the order identified as a Tax and Insurance Account case for carrier information. The name of the agent specified by the borrower will be indicated thereon as the borrower's choice. No such insurance will be placed directly with the agent either by the borrower or the Corporation, but will be ordered through the appropriate insurer under contract, provided, however, exceptions may be made in any case where the instrument does not so provide and the borrower objects.

Extension cases. In cases where mortgagors or vendees have Tax and Insurance Accounts for insurance, a copy of the notice of placement of insurance prepared especially for Tax and Insurance Account cases by the carrier shall be forwarded to the home owner through the Control Section of the Loan Service Division in place of the "Notice of Insurance Premium Due".

Revision of coverage. Any reduction within the requirement, or increases in outstanding insurance desired by the borrower will be handled in accordance with Section 213 and Administrative Orders thereunder.

(Effective date December 1, 1939)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647: 12 U.S.C. 1463 (a), (k))

Promulgated by General Manager and General Counsel of Home Owners' Loan Corporation.

[SEAL] J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-288; Filed, January 18, 1940;
12:45 p. m.]

[Administrative Order No. 350]

PART 403—PROPERTY MANAGEMENT COMPROMISES

Amending Part 403 of Chapter IV, Title 24 of the Code of Federal Regulations.

A new section is added to be numbered 403.19-8 reading as follows:

§ 403.19-8 *Compromises.* The Regional Manager, with the advice of the Regional Counsel, is authorized to approve and execute on behalf of the Corporation any agreements with municipalities or private companies furnishing property services to compromise charges for property services in connection with any particular property or properties in any State or locality. Such agreements pertaining to any one property may also be approved and executed on behalf of the Corporation by the State Manager with the advice of the State Counsel. A copy of all agreements affecting more

than one property shall be forwarded to the General Manager.

The provisions of this article, however, do not relate to any cases where such charges may be in litigation or in the hands of the Legal Department as claims and which shall be disposed of as provided in Part 406.

(Effective date December 15, 1939)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U.S.C. 1463 (a), (k))

Promulgated by General Manager and General Counsel of Home Owners' Loan Corporation.

[SEAL]

J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-289; Filed, January 18, 1940;
12:47 p. m.]

[Administrative Order No. 920]

PART 409—INSURANCE FORECLOSURE ENDORSEMENT

Amending Part 409 of Chapter IV, Title 24 of the Code of Federal Regulations.

The first paragraph of Section 409.01-10, entitled "Foreclosure Endorsement" was amended to read as follows:

Foreclosure endorsement. Immediately upon notice from the Legal Department that foreclosure proceedings have been instituted, Corporation Form 12-B shall be attached to all policies covering the affected property, except in those instances where the insurer by an existing agreement has included the provisions of this form in its policy. When the insurer has so agreed, Corporation Form 12-B need not be executed. If the agent or insurance company, when required, refuses to execute Form 12-B, policies will no longer be acceptable and will be cancelled and coverage secured through the proper insurer under contract.

(Effective date November 1, 1938)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U.S.C. 1463 (a), (k))

Promulgated by General Manager and General Counsel of Home Owners' Loan Corporation.

[SEAL]

J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-290; Filed, January 18, 1940;
12:47 p. m.]

[Administrative Order No. 306]

PART 403—PROPERTY MANAGEMENT

AUTHORIZATION TO MAKE COLLECTIONS

Amending Part 403 of Chapter IV, Title 24 of the Code of Federal Regulations.

Section 403.11-48 was amended to read as follows:

§ 403.11-48 *Authorization to make collections.* The Regional Manager may authorize Property Management Representatives, Property Management Field Supervisors and other employees of the Property Management Division to make collections from present or former tenants or other occupants of properties under the jurisdiction of the Property Management Division and to accept deposits from prospective tenants or purchasers of such properties. For the purpose of this authorization by the Regional Manager Form PM 454, Authorization to Make Collections, shall be used. Upon receipt of such authorization, the Property Management Representative, Property Management Field Supervisor or other employee shall be authorized to make collections from present or former tenants or other occupants of such properties, and to accept deposits from prospective tenants and purchasers. Form PM 454-A shall be used by the Regional Manager for the purpose of revoking any such authorization previously issued.

(Effective date July 11, 1938)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U.S.C. 1463 (a), (k))

Promulgated by General Manager and General Counsel of Home Owners' Loan Corporation.

[SEAL]

J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-291; Filed, January 18, 1940;
12:47 p. m.]

[Administrative Order No. 312]

PART 403—PROPERTY MANAGEMENT

CONTRACTS FOR PUBLIC UTILITIES

Amending Part 403 of Chapter IV, Title 24 of the Code of Federal Regulations.

Section 403.13-2 was amended to read as follows:

§ 403.13-2 *Contracts for Public Utilities.* The Regional Manager, Assistant Regional Manager in Charge of Property Management, State Manager, Assistant to the State Manager in Charge of Property Management, District Manager, District Property Management Supervisor, Supervisor of the Management

Section in the Regional, State, and District Offices, and Contract Management Broker are authorized to execute in behalf of the Corporation contracts for water, gas, electricity, and other services furnished by public utilities, where, in their opinion, such services are necessary or desirable in the management of properties under the jurisdiction of the Property Management Division, and where it is the established local custom that such services be furnished at the expense of the landlord.

(Effective date August 1, 1938)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U.S.C. 1463 (a), (k))

Promulgated by General Manager and General Counsel of Home Owners' Loan Corporation.

[SEAL]

J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-292; Filed, January 18, 1940;
12:48 p. m.]

[Administrative Order No. 2-217]

PART 402—LOAN SERVICE

WITHDRAWN FORECLOSURES; TERM OF PAYMENT

Amending Part 402 of Chapter IV, Title 24 of the Code of Federal Regulations.

The fourth and sixth paragraphs of Section 402.03-20 are amended to read as follows:

Withdrawn foreclosures. In all cases of withdrawal, a Tax and Insurance Account shall be established or reestablished as the case may be. The Regional Manager shall inform the Regional Accountant the amount of the initial accrual to be set up in the Tax and Insurance Account in order that sufficient funds will be accrued in that account at the time the payment of taxes and insurance premiums become due.

Terms of payment. The Regional Manager should forward to the Regional Counsel with the "Notice of Withdrawal" a statement of the outstanding indebtedness and the terms upon which it is to be repaid, and unless the Corporation already has a valid agreement for a Tax and Insurance Account, a copy of Form 533 indicating that a Tax and Insurance Account is being established in connection with the withdrawal. Any new instruments used to consummate the withdrawal shall prescribe the same rate of interest called for in the instruments foreclosed. The Regional Manager should generally prescribe the same ma-

turity of the indebtedness which would have existed had foreclosure not been commenced. Where the Regional Manager makes an exception to this general rule, he shall not fix more liberal terms of payment than he is now or may be hereafter authorized to grant in the case of an extension if no foreclosure were involved. In instances where sales instruments are substituted for lien instruments, the period of payment shall not exceed that prescribed for the extension of an original loan. In such cases, the forms approved for use in the sale of Corporation-owned property shall be employed to close the transaction, and the present loan number shall be retained and amended by inclusion of "R" at the end thereof. The suffix "R" shall likewise be added to the loan number of any case of withdrawal heretofore where the original loan number was retained, title was acquired, and sales instruments used.

(Effective date November 20, 1939).

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Secs. 4(a), 4(k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U.S.C. 1463 (a), (k))

Promulgated by General Manager and General Counsel of Home Owners' Loan Corporation.

[SEAL] J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-293; Filed, January 18, 1940;
12:48 p. m.]

[Administrative Order No. 2-237]

PART 402—LOAN SERVICE

AMENDMENT OF ARTICLE 203-48

Amending Part 402 of Chapter IV, Title 24 of the Code of Federal Regulations.

Section 402.03-48 is amended by the deletion of the words "Subsection 5 (d)" in the fifth sentence of the first paragraph thereof.

(Effective date December 15, 1939)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U.S.C. 1463 (a), (k))

Promulgated by General Manager and General Counsel of Home Owners' Loan Corporation.

[SEAL] J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-294; Filed, January 18, 1940;
12:48 p. m.]

PART 402—LOAN SERVICE

DIVISION OF MORTGAGED PROPERTY

Amending Part 402 of Chapter IV, Title 24 of the Code of Federal Regulations.

Section 402.03 (i) is amended to read as follows:

§ 402.03 (i) *Division of mortgaged property.* The General Manager, with the advice of the General Counsel, may authorize and direct a division of the property covered by a mortgage, other security instrument or sales instrument, the allocation of the indebtedness to each parcel, the reamortization of each indebtedness over a period not to exceed twenty-five years from the date of the original loan or twenty years from the date of the sales instrument, the execution or acceptance of appropriate releases, reamortization agreements, mortgages and other instruments by any official authorized to execute releases of the mortgage liens of the Corporation, and such further action as may be necessary to effect the division of the indebtedness and property. Provided, however, that if either indebtedness is reamortized or extended, the debtor must be eligible for an extension under the provisions of Section 402.13.

The Regional Manager, with the advice of the Regional Counsel, may exercise the authority herein conferred upon the General Manager under the procedure and limitations prescribed by the General Manager, with the approval of the General Counsel.

(Effective date December 15, 1939)

(Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132 as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U.S.C. 1463 (a), (k))

Adopted by the Federal Home Loan Bank Board on December 1, 1939.

[SEAL] J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-295; Filed, January 18, 1940;
12:49 p. m.]

PART 403—PROPERTY MANAGEMENT

PAYMENT OF WATER RENTS, SEWERAGE DISPOSAL CHARGES AND SIMILAR PROPERTY SERVICE CHARGES

Amending Part 403 of Chapter IV, Title 24 of the Code of Federal Regulations.

The first sentence of Section 403.00 is amended to read as follows:

§ 403.00 *Jurisdiction.* The Property Management Division shall be responsible for all matters pertaining to real property securing liens held by the Corporation from the time foreclosure or the acceptance of deed in lieu of foreclosure has been authorized and all matters pertaining to real property acquired

by the Corporation, except as provided in Section 402.03 (k).

(Effective date December 15, 1939)

A new section is added to be numbered 403.19, reading as follows:

§ 403.19 *Payment of water rents—Other charges.* The General Manager is vested with the authority to direct payment of bills for water rents, sewerage disposal charges and similar property service charges where required to assure continuance of such services or to avoid penalties or loss of title resulting from the non-payment of such bills in respect to properties under the jurisdiction of the Property Management Division.

The General Manager, with the advice of the General Counsel, is authorized to approve and execute on behalf of the Corporation agreements with municipal authorities or private companies furnishing such services for the compromise of present or future charges for such services; provided, however, any cases involving such charges which are now, or may hereafter be, in litigation, or which have been, or may hereafter be, referred to the Legal Department as claims, shall be disposed of as provided in sub-Sections (a), (b) and (c) of Section 406.03 rather than as provided in this section.

The authority vested in the General Manager by this section may be exercised also by the Regional or State Manager, with the advice of the Regional or State Counsel, under procedure and limitations prescribed by the General Manager with the approval of the General Counsel.

(Effective date December 15, 1939)

(Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132 as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U.S.C. 1463 (a), (k))

Adopted by the Federal Home Loan Bank Board on November 29, 1939.

[SEAL] J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-296; Filed, January 18, 1940;
12:49 p. m.]

[Administrative Order No. 915]

PART 409—INSURANCE

LOSSES OF \$100 OR LESS—MORTGAGOR CASES; LOSSES OF \$50 OR LESS—MORTGAGOR CASES; LOSSES OVER \$50 BUT NOT IN EXCESS OF \$100; FORMS REQUIRED; REPAIRS COMMENCED OR COMPLETED BEFORE NOTICE

Amending Part 409 of Chapter IV, Title 24 of the Code of Federal Regulations.

Section 409.01-2 is amended by deletion of the last sentence from the paragraph thereof entitled "Discretion in Establishing Requirement", and substitution thereof of the following:

However, a memorandum of facts and justification for such action shall be filed with insurance policies.

(Effective date August 15, 1938)

Section 409.03-11 is amended and Sections 409.03-11.1 and 409.03-11.2 are added, so that these sections shall read as follows:

§ 409.03-11 The procedure outlined hereunder is applicable in the following regions:

Baltimore, Boston, Chicago, Cincinnati, Detroit, New York, Omaha, and San Francisco.

Losses of \$100 or less mortgagor cases. Repairs to properties where the total amount of the loss is not more than \$100 may be arranged for and carried out by the mortgagor, who may receive the insurance loss draft direct from the insurance carrier, except in those cases where the Insurer denies liability to the Insured or notice of foreclosure proceedings has been given to the Insurer. The Corporation will not require any notice of such losses.

(Effective date August 15, 1938)

§ 409.03-11.1 The procedure outlined hereunder is applicable in the following regions:

Atlanta—Dallas—Memphis

Losses of \$50 or less—Mortgagor cases. Repairs to properties where the total amount of the loss is not more than \$50 may be arranged for and carried out by the mortgagor, who may receive the insurance loss draft direct from the insurance carrier, except in those cases where the Insurer denies liability to the Insured or notice of foreclosure proceedings has been given to the Insurer. The Corporation will not require any notice of such losses.

(Effective date August 15, 1938)

§ 409.03-11.2 Where the aggregate amount of the loss is more than \$50 but not in excess of \$100, the procedure outlined hereunder is applicable in the following regions:

Atlanta—Dallas—Memphis

Losses over \$50 but not in excess of \$100. Repairs to properties where the total amount of the loss is more than \$50 but not in excess of \$100 may be arranged for and carried out by the mortgagor.

Forms required. The mortgagor will be required to execute Form 115-A, in quadruplicate certifying that repairs have been or will be made. This form shall be submitted with the loss draft or drafts. The receipt of this form properly executed will constitute authority to endorse without recourse the draft or drafts for return to the borrower so that he may pay the expenses incurred in the restoration. No waivers of lien or receipted statements from mechanics or material men will be required.

(Effective date August 15, 1938)

Section 409.03-15 is amended to read as follows:

§ 409.03-15 *Repairs Commenced or Completed Before Notice.* In event restoration or repairs have been commenced or repairs have already been completed before any notice of the loss is received by a field or Regional Office, Form 115 shall be completed and every precaution including inspections during the progress of the work when deemed necessary shall be taken prior to disbursement to insure full protection of the Corporation's interest in accordance with the instructions herein prescribed, including lien waivers when required.

(Effective date August 15, 1938)

(Above procedure promulgated by General Manager and General Counsel, pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U.S.C. 1463 (a) (k))

Promulgated by General Manager and General Counsel of Home Owners' Loan Corporation.

[SEAL]

J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-297; Filed, January 18, 1940; 12:50 p. m.]

[Administrative Order No. 645]

PART 406—LEGAL

DEPOSIT FOR EXPENSES; INSTRUMENTS FILED

Amending Part 406 of Chapter IV, Title 24 of the Code of Federal Regulations.

Section 406.16-8 is amended by the revocation of the last sentence of the paragraph thereof entitled "Deposit for Expenses"; and by the amendment of the first sentence of the paragraph thereof entitled "Instruments Filed", to read as follows:

The approved fee attorney or title company after the closing shall immediately proceed to have all instruments filed for record which are to be recorded either at the request of the Corporation or at the request of the purchaser, and shall designate to the recording officer to whom the instrument shall be returned; provided that when the full purchase price is paid in cash at the closing, the deed and other closing instruments to which the purchaser is entitled be delivered to him at the closing without recordation, unless the Regional or State Counsel shall otherwise direct.

(Effective date September 12, 1938)

(Above procedure promulgated by General Counsel and General Manager pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Secs. 4 (a), 4 (k) of Home

Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U.S.C. 1463 (a), (k))

Promulgated by General Manager and General Counsel of Home Owners' Loan Corporation.

[SEAL]

J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-298; Filed, January 18, 1940; 12:50 p. m.]

[Administrative Order No. 2-224]

PART 402—LOAN SERVICE

CONSENTS RELATING TO MORATORIA

Amending Part 402 of Chapter IV, Title 24 of the Code of Federal Regulations.

Section 402.03-70 is amended to read as follows:

§ 402.03-70 *Consents relating to moratoria.* Consents relating to moratoria affecting taxes, assessments, or other governmental levies or charges shall not be executed unless in the opinion of the State or Regional Counsel such moratoria are valid and such consents will not affect the enforceability or priority of the Corporation's lien and will not render the Corporation liable for any taxes, assessments or other governmental levies or charges, or for any interest or penalties, and the home owner requesting such consent has executed an agreement for a Tax and Insurance Account.

(Effective November 20, 1939)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U.S.C. 1463 (a), (k))

Promulgated by General Manager and General Counsel of Home Owners' Loan Corporation.

[SEAL]

J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-299; Filed, January 18, 1940; 12:50 p. m.]

[Administrative Order No. 759]

PART 407—TREASURY

INTEREST ON BONDS; GROUP PAYMENT

Amending Part 407 of Chapter IV, Title 24 of the Code of Federal Regulations.

Section 407.30-47 is added reading as follows:

§ 407.30-47 *Interest on bonds.* When bonds are accepted as repayments, interest shall be accrued to the date the bonds are received in the Regional Office, pro-

vided that where bonds are tendered as payment in full of an obligation due the Corporation interest on bonds shall be computed only to the date as of which the payment is held to have been received by the Corporation—generally the postmark date. However, bonds and accrued interest in excess of the amount due, which if accepted would necessitate a refund, shall be treated as a pull-out and returned to the sender. Interest shall be computed from standard tables in use by the Corporation.

Group payment. If, in a group payment, the total of the bonds, accrued interest, and other form of negotiable exchange included in such transmittal, is in excess of the amount to be applied to the various accounts as specified by the agent, a credit ticket in the amount of such excess shall be processed for credit to the bank, broker or other agent through whom the payments were made, and refund shall be made upon a voucher administratively certified by the Auditor; no such refund to be made which is in excess of the negotiable exchange. However, if the total amount of the transmittal, including accrued interest on the bonds to the date of receipt in the Regional Office, is less than the total amount specified for application or if the total of bonds and accrued interest is in excess of the amount to be applied such transmittal shall be treated as a pull-out and returned to the agent.

(Effective date December 1, 1939)

Section 407.33-13 is amended by the addition of the following sentences:

Group payments by bonds for application to more than one account shall not be accepted by a Collection Office of the Corporation. Such payments must be made direct to the Regional Office.

(Effective date December 1, 1939)

(Above procedure promulgated by Treasurer with the approval of the General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647: 12 U.S.C. 1463 (a), (k))

Promulgated by Treasurer with the approval of the General Manager and General Counsel of Home Owners' Loan Corporation.

[SEAL]

J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-300; Filed, January 18, 1940; 12:51 p. m.]

[Administrative Order No. 324]

PART 403—PROPERTY MANAGEMENT
AUTHORITY TO EFFECT RENTAL AGREEMENTS

Amending Part 403 of Chapter IV, Title 24 of the Code of Federal Regulations.

The first sentence of Section 403.11-30 was amended to read as follows:

§ 403.11-30 *Authority to rent.* The Regional Manager, Assistant Regional Manager in Charge of Property Management, State Manager, Assistant State Manager in Charge of Property Management, District Manager, District Property Management Supervisor, Property Management Field Supervisor, Supervisor of the Management Section in the Regional, State, and District Offices, and Contract Management Broker shall, subject to the control of the Deputy General Manager in Charge, have authority to effect any month-to-month rental agreement, and in connection with properties owned by the Corporation any lease for not longer than one year which by its terms permits its cancellation by the Corporation upon not more than one month's notice in event of sale of any of the property leased, and to execute on behalf of the Corporation leases and rental agreements therefor on authorized forms.

(Effective date December 15, 1938)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647: 12 U.S.C. 1463 (a), (k))

Promulgated by General Manager and General Counsel of Home Owners' Loan Corporation.

[SEAL]

J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-301; Filed, January 18, 1940; 12:51 p. m.]

[Administrative Order No. 758]

PART 407—TREASURY
BORROWER'S SETTLEMENT AGENT

Amending Part 407 of Chapter IV, Title 24 of the Code of Federal Regulations.

Section 407.50-19 is amended by insertion of the following paragraph between the present third and fourth paragraphs:

When the transaction pertains to a property located in a State, or political subdivision thereof, in which it is unnecessary to formally execute a release or satisfaction on either the mortgage (or other instrument in lieu thereof) or the note (or other instrument evidencing indebtedness), and the simple notation thereon of "Paid", "Cancelled" or "Released" will suffice when satisfaction is by a separate instrument, the cancellation of such instruments need not be effected in the Regional Office and such instruments may be transmitted unmarked, accompanied by a separate instrument of release or satisfaction to the escrow agent with instructions to mark such instruments "Paid", "Released" or "Cancelled" upon receipt of full payment of the indebtedness.

(Effective date December 1, 1939)

(Above procedure promulgated by Treasurer with the approval of the General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647: 12 U.S.C. 1463 (a), (k))

Promulgated by Treasurer with the approval of the General Manager and General Counsel of the Home Owners' Loan Corporation.

[SEAL]

J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-302; Filed, January 18, 1940; 12:51 p. m.]

PART 403—PROPERTY MANAGEMENT
[Administrative Order No. 326]

OPTIONS TO PURCHASE CORPORATION PROPERTY NOT TO BE EXECUTED OR DELIVERED EXCEPT UPON AUTHORIZATION BY THE HOME OFFICE PROPERTY COMMITTEE

Amending Part 403 of Chapter IV, Title 24 of the Code of Federal Regulations.

A new section, numbered 403.10-29, is added reading as follows:

§ 403.10-29 *Options.* Options to purchase Corporation property, other than leases with option to purchase on forms duly approved by the Home Office, shall not be executed or delivered on behalf of the Corporation unless and until the Home Office Property Committee shall in writing authorize the execution and delivery thereof, in which event any such option may be executed and delivered on behalf of the Corporation, in such form as conforms to the decision of said Committee and as the Regional Counsel may approve, by any officer authorized to execute deeds on its behalf. Any proposal that the Corporation grant any option within the purview of this Article shall be promptly transmitted to the Regional Manager, and, if recommended by him, the case shall be transmitted to the Home Office Property Committee for review and decision. If said Committee approve such proposal, it shall determine the sale price and the plan, terms and conditions of sale which are to be expressed in such option, and it may waive any pecuniary consideration for the execution of any such option in favor of any other governmental department or instrumentality; provided that the plan and terms of such sale shall not be inconsistent with those plans of sale and terms of payment determined in pursuance of Section 403.10.

(Effective date January 3, 1939)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of

the Act of April 27, 1934, 48 Stat. 647: 12 U.S.C. 1463 (a), (k))

Promulgated by General Manager and General Counsel of Home Owners' Loan Corporation.

[SEAL]

J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-303; Filed, January 18, 1940; 12:51 p. m.]

[Administrative Order No. 938]

PART 409—INSURANCE

LOSSES OF \$100 OR LESS, MORTGAGOR CASES; ENDORSEMENT OF DRAFTS

Amending Part 409 of Chapter IV, Title 24 of the Code of Federal Regulations.

Section 409.03-11 is amended to read as follows:

§ 409.03-11 *Losses of \$100 or less, mortgagor cases.* Repairs to properties where the total amount of the loss is not more than \$100.00 may be arranged for and carried out by the mortgagor, who may receive the insurance loss draft direct from the insurance carrier, except in those cases where the insurer denies liability to the insured or notice of foreclosure proceedings has been given to the insurer. The Corporation will not require any notice of such losses.

Endorsement of drafts. In such cases where the Corporation is made the payee or one of the payees, the insurance loss draft may be endorsed by employees, in accordance with provisions of Section 409.03.

(Effective date January 15, 1940)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by Section 13 of the Act of April 27, 1934, 48 Stat. 647: 12 U.S.C. 1463 (a), (k))

Promulgated by General Manager and General Counsel of Home Owners' Loan Corporation.

[SEAL]

J. FRANCIS MOORE,
Acting Secretary.

[F. R. Doc. 40-304; Filed, January 18, 1940; 12:52 p. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Division of Marketing and Marketing Agreements.

[Docket No. A-124 O-124]

NOTICE OF HEARING WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND A PROPOSED ORDER REGULATING THE HANDLING OF CAULIFLOWER GROWN IN THE STATE OF CALIFORNIA

Whereas, under Public Act No. 10, 73rd Congress, as amended and as reenacted

and amended by the Agricultural Marketing Agreement Act of 1937 (hereinafter referred to as the "act"), notice of hearing is required in connection with a proposed marketing agreement or a proposed order, and the General Regulations, Series A, No. 1, as amended,¹ of the Agricultural Adjustment Administration, United States Department of Agriculture, provide for such notice; and

Whereas, the Secretary of Agriculture has reason to believe that the execution of a marketing agreement and the issuance of an order will tend to effectuate the declared policy of said act with respect to such handling of cauliflower grown in the State of California as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects such commerce:

Now, therefore, pursuant to the said act and said general regulations, notice is hereby given of a hearing to be held on a proposed marketing agreement and a proposed order regulating such handling of cauliflower grown in the State of California in the Court Room, Knights of Pythias Building, Santa Maria, California, on January 29, 1940, at 9:30 a. m., Pacific standard time, and in Room "B," Civic Auditorium, San Jose, California, on January 31, 1940, at 9:30 a. m., Pacific standard time.

This public hearing is for the purpose of receiving evidence as to the general economic conditions which may necessitate regulation in order to effectuate the declared policy of the act and as to the specific provisions which a marketing agreement and order should contain.

The proposed marketing agreement and the proposed order each provides, in similar terms, a plan for the regulation of such handling of the aforesaid cauliflower as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects such commerce. Among other matters relating to such regulation, the proposed marketing agreement and order provide for: (a) the establishment of an Administrative Committee consisting of producer members and handler members; (b) regulation of shipments by grades, sizes, or combinations of grades and sizes; (c) regulation of daily shipments; (d) inspection of shipments by an authorized representative of the Federal-State Inspection Service during periods when regulation is in effect; (e) levying of assessments by the Administrative Committee to cover expenses of administration; and (f) reports to the Administrative Committee by handlers.

It is hereby declared that an emergency exists in the handling of cauliflower in the aforesaid area, and that a shorter period of notice than fifteen (15) days is therefore required; and it is hereby determined that the period of notice given is reasonable under the circumstances.

Copies of the proposed marketing agreement and order may be procured

¹ 1 F.R. 155.

from the Hearing Clerk, office of the Solicitor, United States Department of Agriculture, in Room 0310 South Building, Washington, D. C., or may be there inspected.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

Dated, January 18, 1940.

[F. R. Doc. 40-283; Filed, January 18, 1940; 12:25 p. m.]

Rural Electrification Administration.

[Administrative Order No. 427]

ALLOCATION OF FUNDS FOR LOANS

JANUARY 8, 1940.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects, and in the amounts as set forth in the following schedule:

Project designation:	Amount
Florida 8015A2 Lafayette.....	\$21,000
Iowa 7005C2 Carroll.....	20,000
South Carolina 8023B2 Dorchester.....	22,000

[SEAL]

HARRY SLATTERY,
Administrator.

[F. R. Doc. 40-285; Filed, January 18, 1940; 12:25 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF POSTPONEMENT OF DATE ON WHICH ADMINISTRATOR WILL RECEIVE WRITTEN BRIEFS ON THE RECOMMENDATIONS OF INDUSTRY COMMITTEE NO. 2 FOR THE APPAREL INDUSTRY

Whereas, previous notice was given¹ in the FEDERAL REGISTER that the Administrator would receive written briefs in the matter of the recommendations of Industry Committee No. 2 for minimum wages in the Apparel Industry on or before February 3, 1940, and

Whereas, the Administrator has since found it advisable to extend the time during which such briefs may be submitted to him,

Now, therefore, notice is hereby given that the Administrator will receive briefs (not fewer than twelve copies), bearing on the issues which are before him in this matter, at the Department of Labor, Washington, D. C., from persons who have entered an appearance at the public hearing on the recommendations of Industry Committee No. 2 which was held from November 13, 1939 to January 10, 1940, provided that such briefs are submitted to him on or before 5 P. M. Monday, February 19, 1940.

Signed at Washington, D. C., this 17th day of January, 1940.

HAROLD D. JACOBS,
Administrator.

[F. R. Doc. 40-279; Filed, January 18, 1940; 12:08 p. m.]

¹ 5 F.R. 180 DI.

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS IN THE HOSIERY INDUSTRY

Notice is hereby given that Special Certificates for the employment of learners in the Hosiery Industry at hourly wages lower than the minimum wage applicable under Section 6 of the Fair Labor Standards Act of 1938 (Hosiery Wage Order) are issued to the employers listed below effective January 19, 1940, until September 18, 1940, subject to the following terms:

OCCUPATIONS AND WAGE RATES

The employment of learners in the Hosiery Industry under these Certificates is limited to the following occupations, learning periods, and minimum wage rates:

[Here follows, in the original document, a table identical with that appearing on Page 3827 of the "Federal Register" for Thursday, September 7, 1939.]

NUMBER OF LEARNERS

Not in excess of 5% of the total number of factory workers employed in the plant may be employed under any of these certificates, unless otherwise indicated hereinbelow.

These Special Certificates are issued ex parte under Section 14 of the said Act, Section 522.5 (b) of Regulations Part 522, as amended. For fifteen days following the publication of this notice the Administrator will receive detailed written objections to any of these Special Certificates and requests for hearing from interested persons. Upon due consideration of such objections as provided for in said Section 522.5 (b), such Special Certificates, or any of them, may be canceled as of the date of their issuance and if so canceled, reimbursement of all persons employed under such certificates must be made in any amount equal to the difference between the applicable statutory minimum wage and any lesser wage paid such persons.

NAME AND ADDRESS OF FIRM

Currie Hosiery Mills, Inc., Carthage, North Carolina (5 learners).

Signed at Washington, D. C., this 18th day of January 1940.

GUSTAV PECK,
Assistant Director,
Hearings Branch.

[F. R. Doc. 40-305; Filed, January 18, 1940; 12:53 p. m.]

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS IN THE TEXTILE INDUSTRY

Notice is hereby given that Special Certificates for the employment of learners in the Textile Industry at hourly wages lower than the minimum wage applicable under Section 6 of the Fair Labor Standards Act of 1938 are issued ex parte under Section 14 of the said

No. 13—2

Act and Section 522.5 (d) of Regulations Part 522, as amended, to the employers listed below effective January 19, 1940, until October 24, 1940, subject to the following terms:

OCCUPATIONS, WAGE RATES, AND CONDITIONS

The employment of learners in the Textile Industry under these Certificates is limited to the following occupations, learning periods, and minimum wage rates:

(1) A learner is a person who has had less than six (6) weeks experience in the aggregate in any of the learner occupations listed below in any branch of the Textile Industry except tufted bedspreads and curtains.

(2) Learners may be employed under these Certificates only in the occupations of machine operating, tending, fixing, and jobs immediately incidental thereto, but not in occupations similar to those performed by the following: sweepers, scrubbers, yard employees, watchmen, clerical workers and supervisors, timekeepers, machine cleaners, janitors, truckers, and employees engaged in similar work, and no learner shall be employed at less than the minimum rate for more than six (6) weeks.

(3) No learner may be paid at a rate less than 25 cents an hour: *Provided, however,* That if experienced workers are paid on a piecework rate, learners shall be paid at least the same piecework rate and shall receive earnings on such rates if in excess of 25 cents per hour but in no event less than 25 cents per hour.

(4) Experienced workers may not be employed at less than the minimum rate and no learner may be employed at less than the minimum rate unless hired when experienced workers were not available. No learner may be employed under these Certificates until and unless a copy of the certificate is posted and kept posted in a conspicuous place in the plant in which learners are to be employed.

(5) These Certificates expire October 24, 1940 and are subject to cancellation sooner by the Administrator or his authorized representative for cause. These Certificates are issued on representations by the employers that experienced workers are not available and may be canceled as of the date of issue if it is found that they were issued when experienced workers were available and may be canceled prospectively or as of the date of violation if it is found that any of their terms have been violated or that experienced workers have become available. A copy of the employer's certificate must be available at all times for inspection. Altering or attempting to alter any Certificate will render it invalid.

NUMBER OF LEARNERS

Not in excess of three (3) percent of the total number of persons in the learner occupations herein described em-

ployed in the plant may be employed under these Certificates unless otherwise indicated hereinbelow opposite the employer's name.

NAME AND ADDRESS OF FIRM AND PRODUCT

Tifton Cotton Mills, Tifton, Georgia, cotton.

Signed at Washington, D. C., this 18th day of January 1940.

GUSTAV PECK,
Assistant Director,
Hearings Branch.

[F. R. Doc. 40-306; Filed, January 18, 1940; 12:53 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 17th day of January, A. D. 1940.

[File No. 54-19]

IN THE MATTER OF NORTH BOSTON LIGHTING PROPERTIES AND MASSACHUSETTS POWER AND LIGHT ASSOCIATES

NOTICE OF AND ORDER FOR HEARING

Applications and declarations pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named parties;

It is ordered That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on February 6, 1940, at ten o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the

Commission on or before February 5, 1940.

The matter concerned herewith is in regard to the termination and liquidation of North Boston Lighting Properties, a Massachusetts voluntary association, pursuant to vote of its shareholders. As of November 15, 1939 North Boston Lighting Properties had presently outstanding \$13,000,000 aggregate principal amount of Secured Notes, 3½% Series due 1947, held by the public, preferred shares of a par value of \$50 each in the number of 228,080¼ outstanding, of which 39,814¼ shares are held by the public and 188,266 shares are held by Massachusetts Power and Light Associates, the immediate parent of North Boston Lighting Properties, and common shares of no par value in the number of 433,354⅞, of which 3,220⅞ shares are held by the public and 430,134 shares are held by said Massachusetts Power and Light Associates. Both of said companies are subsidiary companies of New England Power Association, a registered holding company, which in turn is a subsidiary company of International Hydro-Electric System, a registered holding company, which is in turn a subsidiary company of Joseph B. Ely, C. Brooks Stevens and Henry G. Wells, Liquidating Trustees pursuant to a Declaration of Trust dated January 31, 1939, a registered holding company.

The plan contemplates that said \$13,000,000 principal amount of Secured Notes 3½% Series due 1947 of North Boston Lighting Properties will remain outstanding and will be assumed by Massachusetts Power and Light Associates. Upon termination, the holders of Preferred Shares of North Boston Lighting Properties, other than Massachusetts Power and Light Associates, will become entitled to cash from the treasury of North Boston Lighting Properties, equal to the full amount to which such preferred shares are entitled in liquidation in priority to the common shares, namely, \$50 per share and accrued dividends to the date such cash is deposited for the account of the holders. The holders of common shares of North Boston Lighting Properties, other than Massachusetts Power and Light Associates, will become entitled to receive in cash from the treasury of North Boston Lighting Properties \$54 per share, said to represent the fair value of their common shares as determined by a committee of disinterested persons selected by and from the Trustees of North Boston Lighting Properties. Any holder of common shares not voting in favor of the plan and who has not assented to the plan by accepting cash thereunder may, upon demand within thirty days after the vote on such plan, have such value redetermined by arbitration. Any holder of share trust certificates outstanding under "North Boston Lighting Properties Share Trust Agreement" dated March 15, 1927, and not yet exchanged will, under the plan, have the same rights as a holder of the shares

of North Boston Lighting Properties represented by such share trust certificates. Any holder of outstanding fractional scrip representing preferred or common shares of North Boston Lighting Properties will have the same rights as the holders of the shares represented thereby, except that holders of scrip representing preferred shares will have no right to accrued dividends. After caring for the common and preferred shares of North Boston Lighting Properties which are publicly held, all of its remaining assets will be transferred to Massachusetts Power and Light Associates and North Boston Lighting Properties will be dissolved. In addition to assuming the aforementioned Secured Notes of North Boston Lighting Properties, Massachusetts Power and Light Associates will assume any other liabilities of North Boston Lighting Properties.

In connection with the plan for the termination and liquidation of North Boston Lighting Properties

(1) Massachusetts Power and Light Associates and North Boston Lighting Properties have applied for approval of the plan of liquidation of North Boston Lighting Properties;

(2) North Boston Lighting Properties has applied for a report on said plan of liquidation;

(3) North Boston Lighting Properties has applied for approval with reference to the retirement of its preferred shares and common shares pursuant to said plan of liquidation;

(4) North Boston Lighting Properties has applied for approval of the payment of a liquidating dividend pursuant to said plan of liquidation;

(5) North Boston Lighting Properties has filed a declaration with reference to solicitation of consents to said plan of liquidation;

(6) North Boston Lighting Properties has filed a declaration with reference to amendment of its Declaration of Trust pursuant to said plan of liquidation;

(7) Massachusetts Power and Light Associates has filed a declaration with reference to its assumption of \$13,000,000 principal amount of Secured Notes, 3½% Series due 1947 of North Boston Lighting Properties pursuant to said plan of liquidation;

(8) Massachusetts Power and Light Associates has applied for approval of accounting entries to be made with respect to the securities and other assets of North Boston Lighting Properties to be acquired under said plan of liquidation; and

(9) Massachusetts Power and Light Associates and North Boston Lighting Properties have applied for such other approvals necessary to permit the carrying out of said plan of liquidation.

North Boston Lighting Properties and Massachusetts Power and Light Associates have designated sections 6, 7, 11 (e), 11 (g), 12 and 15 of the Public Utility Holding Company Act of 1935, Rules

U-12C-1, U-12C-2 and U-12E of the Securities and Exchange Commission, and Instruction 8C of the Uniform System of Accounts for Public Utility Holding Companies, prescribed by the Securities and Exchange Commission, as applicable to the above transactions.

It is further ordered, That copies of this order be mailed by North Boston Lighting Properties not later than January 23, 1940 to the record holders of all of the preferred and common shares of North Boston Lighting Properties, to State Street Trust Company as Trustee under a certain Collateral Trust Indenture dated as of October 1, 1937 securing said Secured Notes of North Boston Lighting Properties, to all holders of such Notes, where said Notes have been fully registered pursuant to the terms of said Indenture, and to all record holders of share trust certificates outstanding under a certain voting trust agreement designated "North Boston Lighting Properties Share Trust Agreement" dated March 15, 1927. For the purpose of determining such record holders, holders of record at 2:00 p. m., Eastern Standard Time, January 19, 1940, shall be considered as the persons to whom copies of this order shall be sent.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-280; Filed, January 18, 1940; 12:20 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 17th day of January 1940.

[File No. 1-2254]

IN THE MATTER OF MEXICAN GOLD & SILVER MINING COMPANY COMMON ASSESSABLE STOCK, \$1 PAR VALUE

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

The San Francisco Mining Exchange, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Assessable Stock, \$1 Par Value, of Mexican Gold & Silver Mining Company; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 A. M. on Friday, February 16, 1940, at the office of the Securities & Exchange Commission, 625 Market Street, San Francisco, California, and continue thereafter at such times and places as the Commission or its officer herein designated shall deter-

mine, and that general notice thereof be given; and

It is further ordered, That John G. Clarkson, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission,

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-281; Filed, January 18, 1940;
12:21 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 17th day of January, A. D. 1940.

[File No. 32-192]

IN THE MATTER OF NORTHERN INDIANA POWER COMPANY AND CENTRAL INDIANA POWER COMPANY

NOTICE OF AND ORDER FOR HEARING

Applications and declaration pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named parties;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on February 6, 1940, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That James G. Ewell or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be ad-

mitted as a party to such proceeding shall file a notice to that effect with the Commission on or before February 1, 1940.

The matter concerned herewith is in regard to the proposed refunding of the outstanding bonds issued or assumed by Northern Indiana Power Company (hereinafter called "Northern"), a direct subsidiary of Central Indiana Power Company (hereinafter called "Central"), both of which companies are subsidiaries of Hugh M. Morris, Sole Surviving Trustee of the Estate of Midland United Company, a registered holding company (presently in reorganization under Section 77B of the Bankruptcy Act). A principal part of the aforementioned outstanding bonds of Northern are held by Central and pledged by Central as security for its own bonds now outstanding, principally in the hands of the public. It is proposed that Northern will acquire its bonds now held by Central, paying therefor, in part, such portion of the cash proceeds from the issue and sale of its own bonds as will be sufficient to enable Central to acquire, redeem or retire all of its own bonds now outstanding.

The above financing is to be accomplished by the following transactions:

Northern will issue and sell:

(1) \$10,038,000 principal amount of its First Mortgage Bonds, Series A, 4¼%, due January 1, 1965.

\$9,500,000 principal amount of said Bonds are to be sold for cash at face value plus accrued interest direct to nine (9) institutional investors. The balance, \$538,000 principal amount of the Bonds, is to be sold to Central and will be pledged by Central with the United States of America, or one of its agencies, as security for loans aggregating \$430,000, which loans are now secured by \$538,000 principal amount of bonds of Central, which are to be retired as a part of the proposed transaction.

(2) \$600,000 aggregate face amount of 3% Serial Notes, evidenced by six notes in the face amount of \$100,000 each, the first payable one year from date and the remainder in successive annual maturities.

\$500,000 principal amount of the Serial Notes, being the five earliest maturities, will evidence a loan from the National City Bank of the City of New York. The sixth Serial Note for \$100,000, being the latest maturity, will be issued and sold to the Trustee of the Estate of Midland United Company.

(3) An unsecured Promissory Note, due March 1, 1965, with interest at 5% from and after demand for interest, in an estimated amount of not exceeding \$1,906,543.23.

The Promissory Note will be given to Central, together with the \$538,000 prin-

icipal amount of Northern Bonds above referred to, and an amount of Cash, estimated at \$8,063,500, said Promissory Note, Bonds and Cash being sufficient to make up a total equal to the investment of Central in \$11,575,900 principal amount of existing bonds issued or assumed by Northern and now held by Central, plus accrued interest. In consideration for the Promissory Note, Bonds, and Cash, Central will surrender to Northern all of the existing bonds of Northern which it holds.

Central will use the said Cash to acquire, redeem or retire all of its own First Mortgage Collateral and Refunding Bonds, Series A, including the \$538,000 principal amount of such bonds pledged with the United States, above referred to, and \$939,100 principal amount held by the Estate of Midland United.

Northern will retire its existing bonds so acquired from Central; and, with other proceeds from the refunding, will also acquire, redeem or retire the remainder of its existing (assumed) bonds, publicly held, including \$200,000 principal amount of such bonds owned by the Estate of Midland United Company and \$94,600 principal amount owned by the Estate of Midland Utilities Company, a registered holding company (presently in reorganization under Section 77B of the Bankruptcy Act).

Applicants and declarant have designated Sections 6 (b), 7, and 10 (a) (1) of the Public Utility Holding Company Act of 1935 and Rules U-12F-1 and U-12C-1, promulgated under the Act, as applicable to the above transactions.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-282; Filed, January 18, 1940;
12:22 p. m.]

UNITED STATES CIVIL SERVICE COMMISSION.

CONDITION OF THE APPORTIONMENT AT CLOSE OF BUSINESS MONDAY, JANUARY 15, 1940

Important.—Although the apportioned classified civil service is by law located only in Washington, D. C., it nevertheless includes only about half of the Federal Civilian positions in the District of Columbia. Positions in local post offices, customs districts and other field services outside of the District of Columbia which are subject to the Civil Service Act are filled almost wholly by persons who are local residents of the general community in which the vacancies exist. It should be noted and understood that so long as a person occupies, by original appointment a position in the apportioned service, the charge for his appointment continues to run against his State of

original residence. Certifications of eligibles are first made from States which are in arrears.

State	Number of positions to which entitled	Number of positions occupied
IN ARREARS		
1. Virgin Islands.....	9	0
2. Puerto Rico.....	622	45
3. Hawaii.....	148	16
4. California.....	2,288	804
5. Alaska.....	24	9
6. Texas.....	2,347	945
7. Michigan.....	1,951	921
8. Louisiana.....	847	401
9. Arizona.....	176	93
10. New Jersey.....	1,628	912
11. South Carolina.....	701	401
12. Ohio.....	2,678	1,622
13. Mississippi.....	810	491
14. Oklahoma.....	965	598
15. Alabama.....	1,066	662
16. Arkansas.....	747	473
17. New Mexico.....	171	112
18. Georgia.....	1,172	770
19. Kentucky.....	1,054	705
20. North Carolina.....	1,277	895
21. Tennessee.....	1,054	812
22. Illinois.....	3,075	2,380
23. Wisconsin.....	1,184	943
24. Connecticut.....	647	549
25. Indiana.....	1,305	1,145
26. Nevada.....	37	33
27. Delaware.....	96	86
28. Oregon.....	384	350
29. Florida.....	592	550

State	Number of positions to which entitled	Number of positions occupied
IN ARREARS—Continued		
30. Idaho.....	179	168
31. Wyoming.....	91	87
32. New Hampshire.....	187	179
33. Washington.....	630	611
34. Pennsylvania.....	3,881	3,781
35. Missouri.....	1,462	1,435
36. New York.....	5,072	4,989
37. Colorado.....	417	411
38. Massachusetts.....	1,712	1,701
39. West Virginia.....	697	695

State	Number of positions to which en- titled	Number of positions occupied	Net gain or loss since July 1, 1939
IN EXCESS			
40. Maine.....	321	323	+8
41. Vermont.....	145	147	0
42. Montana.....	217	220	-13
43. Kansas.....	758	794	-26
44. Rhode Island.....	277	295	-11
45. Utah.....	205	221	+17
46. North Dakota.....	274	298	-12
47. South Dakota.....	279	307	-5
48. Minnesota.....	1,033	1,146	-32
49. Iowa.....	996	1,117	-22
50. Nebraska.....	555	686	+1
51. Virginia.....	976	2,034	-6

State	Number of positions to which entitled	Number of positions occupied	Net gain or loss since July 1, 1939
IN EXCESS—Continued			
52. Maryland.....	657	2,068	+20
53. District of Columbia.....	196	8,839	-46
GAINS			
By appointment.....			91
By transfer.....			8
Total.....			99
LOSSES			
By separation.....			22
By transfer.....			16
By correction.....			2
Total.....			40
Total appointments.....			50,275
NOTE.—Number of employees occupying apportioned positions who are excluded from the apportionment figures under Section 3, Rule VII, and the Attorney General's Opinion of August 25, 1934, 16,005.			
By direction of the Commission.			
[SEAL] L. A. MOYER,			
Executive Director and			
Chief Examiner.			
[F. R. Doc. 40-278; Filed, January 17, 1940; 3:55 p. m.]			